

ADVISORY OPINION 94-003

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

April 7, 1994

Mr. Darryl T. Owens
Jefferson County Commissioner
P.O. Box 1924
Louisville, Kentucky 40201

Dear Mr. Owens:

Thank you for contacting the Registry. Based on the information you have provided, the facts to your question may be stated as follows:

You are a future year candidate, seeking re-election in 1995 for "C" District Jefferson County Commissioner. You would like to host a dinner for local labor leaders and officials so that you may inform them of your intention to seek re-election and to request their support and endorsement.

Based on your information, your question can be stated as follows:

May a future year candidate for Jefferson County Commissioner host a dinner for Jefferson County labor leaders and officials in order to seek support (either monetary or endorsement support) from these officials in his or her upcoming election?

Your question deals with "allowable campaign expenditures." The General Assembly enacted KRS 121.175. **Allowable campaign expenditures - administrative regulations - penalties.** in its January, 1993, Special Session in order to help clarify questions regarding candidate expenditures. Under KRS 121.175 and the current amendments to KRS 121.175 (effective July, 1994), your proposed fundraiser and endorsement seeking dinner would not violate the prohibitions set forth in all versions of KRS 121.175. Your proposed dinner would be a permissible campaign expenditure.

As you may know, the Registry has promulgated a regulation which interprets KRS 121.175 (the 1993 version). This proposed regulation is still before the Regulation Subcommittee. We do not anticipate that regulation would change this answer when and if it is passed. However, if passage of the proposed regulation did change this advisory opinion, this advisory opinion would protect your activity until you received notice from us as to the changes set forth in the proposed and passed regulation. Further, the Registry would not retroactively apply any law or regulation once you held your proposed fundraising dinner.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt